United Nations S/2012/490

Security Council

Distr.: General
26 June 2012
English
Original: Arabic

Letter dated 26 June 2012 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to respond to the letter of the Permanent Representative of Turkey to the United Nations dated 24 June 2012 (A/66/857-S/2012/480) and to provide detailed information regarding the incident that caused a Turkish warplane to crash on 22 June 2012.

Official Syrian channels state that on 22 June 2012, Syrian radar systems identified a flying object proceeding towards Syrian territory. The object turned left towards the north-east, descending to a low altitude before disappearing from the radar. It then abruptly reappeared at a height of 100 metres and a distance of 1 to 2 kilometres from the Syrian coastline, where it was suddenly sighted by the naked eye at 1140 hours. The object was identified as an aircraft heading directly towards the Syrian coastline at a speed of 700 to 800 kilometres per hour, thereby automatically prompting a response from the Syrian coastal air defence system consisting of 23 to 57 millimetre anti-aircraft guns, which hit the aircraft at once. It was seen turning to the left, and then crashed into Syrian territorial waters.

It is clear that those facts, which we have established, correspond without a doubt to the incident as it occurred, in contrast with the letter sent by the Permanent Representative of Turkey, and that the incident resulted from the Turkish warplane violating Syrian airspace and thus attacking Syrian sovereignty. Under international law, such action authorizes the State to respond through military means.

As a sign of goodwill, the air force, navy and security branches of Syrian Arab Army Command entered into close communication with their Turkish counterparts after the incident in order to clarify the matter. They provided every possible assistance to the search and rescue operation. The Syrian authorities also immediately proposed forming a joint technical committee of the Syrian and Turkish air forces, which would meet on the site of the incident to examine it in all its aspects. The Syrian authorities have yet to receive a response to that proposal.

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The Syrian Arab Republic is eager to see the return of the good neighbourly relations that existed between the two countries, and looks forward to addressing the incident in a wise and objective manner.

I should be grateful if this letter could be circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Permanent Representative of the
Syrian Arab Republic to the United Nations

United Nations S/2012/491

Security Council

Distr.: General
29 June 2012

Original: English

Guatemala: draft resolution

The Security Council,

Taking note of the letter to the President of the Council from the Secretary-General dated 1 June 2012 (S/2012/392) attaching a letter from the President of the International Criminal Tribunal for Rwanda ("the International Tribunal") dated 21 May 2012,

Recalling its resolution 955 (1994) of 8 November 1994, 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004, and its previous resolutions concerning the International Tribunal,

Recalling also its resolution 1966 (2010) of 22 December 2010, establishing the International Residual Mechanism for Criminal Tribunals ("the Mechanism") and requesting the International Tribunal to take all possible measures to expeditiously complete all its remaining work no later than 31 December 2014, prepare its closure and ensure a smooth transition to the Mechanism,

Recalling further that the branch of the Mechanism for the International Criminal Tribunal for Rwanda shall commence functioning on 1 July 2012 and welcoming the preparatory steps that have been taken in this regard,

Taking note of the assessments by the International Tribunal in its Completion Strategy Report (S/2012/349), and the updated trial and appeals schedule,

Noting the successful referral of cases to Rwanda for prosecution, and emphasizing the importance of ensuring appropriate monitoring of the referred cases and respecting at all times the rights of accused persons transferred from the International Tribunal to Rwanda,

Noting that one permanent judge will be redeployed from the Trial Chamber to the Appeals Chamber and five ad litem judges will leave the International Tribunal before 30 June 2012, on the completion of the cases to which they are assigned,

Noting the concerns expressed by the President and Prosecutor of the International Tribunal about staffing, and reaffirming that staff retention is essential for the timely completion of the International Tribunal's work,

Noting with concern that the International Tribunal continues to face problems in the relocation of acquitted persons and convicted persons who have completed serving their sentences, and emphasizing the importance of successful relocation of such persons,

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Urging the International Tribunal to take all possible measures to complete its work expeditiously as requested in resolution 1966 (2010),

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that, notwithstanding the expiry of their term of office on 30 June 2012, Judge William H. Sekule (United Republic of Tanzania), Judge Solomy Balungi Bossa (Uganda) and Judge Mparany Mamy Richard Rajohnson (Madagascar) may continue, on an exceptional basis, to serve at the International Tribunal until 31 December 2012 or until the completion of the *Ngirabatware* case which they began before the expiry of their term of office, while taking note of the intention of the International Tribunal to complete the *Ngirabatware* case by 31 December 2012;

2. *Takes note* of the intention of the International Tribunal to complete all remaining judicial work by 31 December 2014 and *decides*, bearing in mind the expiry of his term of office on 30 June 2012, to extend the term of office of Judge Vagn Joensen (Denmark), on an exceptional basis, until 31 December 2014 so that he may continue to perform the functions required of him as trial judge and President of the International Tribunal, to complete the work of the Tribunal and expresses its intention to review this decision in June 2013;

3. *Requests* the International Tribunal to report to the Security Council, as a part of its pending report to the Security Council on the Completion Strategy pursuant to resolution 1534 (2004) of 26 March 2004, on the projected schedule of the coordinated transition of functions of the International Tribunal to the Mechanism pursuant to articles 5 and 6 of the Transitional Arrangements annexed to resolution 1966 (2010) of 22 December 2010 with concrete estimated dates, taking into account that the branch for the ICTR of the International Residual Mechanism for Criminal Tribunals commences functioning on 1 July 2012, with a view to completing all remaining work in the International Tribunal and its closure as early as possible and no later than 31 December 2014;

4. *Reiterates* the importance of the International Tribunal being adequately staffed to complete its work expeditiously and *calls upon* relevant United Nations bodies to intensify cooperation with the Secretariat and the Registrar of the International Tribunal and to take a flexible approach in order to find practicable solutions to address this issue as the International Tribunal approaches the completion of its work, and at the same time *calls upon* the International Tribunal to renew its efforts to focus on its core functions;

5. *Urges* all States, especially States where fugitives are suspected to be at large, to intensify further their cooperation with and render all necessary assistance to the International Tribunal, in particular to achieve the arrest and surrender of all remaining fugitives as soon as possible;

6. *Commends* States that have accepted the relocation of acquitted persons or convicted persons who have completed serving their sentences to their territories, and *reiterates* its call upon all States in a position to do so to cooperate with and render all necessary assistance to the International Tribunal for its increased efforts towards the relocation of acquitted persons and convicted persons who have completed serving their sentences;

7. *Decides* to remain seized of the matter.

United Nations A/ES-10/560–S/2012/492

General Assembly
Security Council

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27 June 2012

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-seventh year

Identical letters dated 26 June 2012 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In follow-up of our previous letters regarding Israel's ongoing military campaign in the Occupied Palestinian Territory, including East Jerusalem, I regret to inform you that many more Palestinian civilians, including children and women, continue to be victims of deadly and destructive attacks by Israel, the occupying Power, particularly in the besieged Gaza Strip.

The Israeli occupying forces have continued to carry out missile air strikes and artillery bombardment of civilian areas in the Gaza Strip in grave violation of international law, including the Geneva Convention relative to the Protection of Civilian Persons in time of war. In this regard, Israel continues to deliberately target and kill Palestinian civilians, continuing its policy of extrajudicial executions. Moreover, no place in Gaza is safe from Israel's relentless aggression, with even playgrounds now becoming targets for Israel's F-16 warplanes. Since 17 June, at least 15 Palestinians, including 3 children, have been killed and dozens injured in Israeli military attacks against the Gaza Strip, with a toll of nearly 70 people, including 17 children and 5 women.

On 22 June, Basem Abdallah Ahmad, age 28, from the Al-Bureij refugee camp in the central Gaza Strip, was killed when the Israeli forces fired artillery shells into an area east of the camp in the central Gaza Strip. This attack was followed by the killing, on 23 June, of Mutaz Shawwaf, a five-year-old child, who died after being struck by an Israeli missile attack on a playground in Abassan, near Khan Younis in the southern Gaza Strip. Hammam Abu Qadous, age 20, from the Sheikh Radwan neighbourhood of Gaza City, died of his wounds after he and two others were injured by an Israeli missile strike that had targeted them. Khaled Nasser Al-Bore'i, age 24, was killed when an Israeli warplane fired missiles at an area in the northern Gaza Strip, and Osama Mahmoud Ali, age 42, was killed by missile fire by an Israeli drone west of Gaza City. Airstrikes continued throughout the Gaza Strip, injuring dozens of more people and causing destruction to civilian properties.

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Please recycle

Turning to the occupied West Bank, including East Jerusalem, I must draw your urgent attention once again to Israel's intense and ongoing illegal settlement campaign. Construction of settlements and so-called outposts continue, as do provocative declarations by the occupying Power indicating its illegal intentions and plans in this regard. Today, 26 June, Israel announced plans to construct an additional 180 units in the illegal settlement of "East Talpiot", also known as "Armon HaNetziv", in Occupied East Jerusalem. At the same time, pending demolition orders, which we have drawn attention to in our previous letters, continue to threaten the destruction of Palestinian homes and the displacement of more Palestinian families.

All such actions are further proof that Israel is not interested in achieving the two-State solution on the basis of the pre-1967 borders. Indeed, the occupying Power proves daily its preference for continuing its illegitimate occupation of the Palestinian land, with continued commitment of war crimes and grave breaches of international law, including humanitarian and human rights law, prolonging the conflict and the suffering our people are being forced to endure.

The present letter is in follow-up to our previous 431 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 20 June 2012 (A/ES-10/559-S/2012/464) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

United Nations S/2012/493

Security Council

Distr.: General
27 June 2012

Original: English

Letter dated 27 June 2012 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2050 (2012), by which the Council decided to extend until 12 July 2013 the mandate of the Panel of Experts, as specified in paragraph 26 of resolution 1874 (2009), and requested the Secretary-General to take the necessary administrative measures to that effect.

Accordingly, I wish to inform you that, after consulting with the Security Council Committee established pursuant to resolution 1718 (2006), I have reappointed the following experts:

Mr. John Everard, United Kingdom of Great Britain and Northern Ireland (regional issues);

Mr. Katsuhisa Furukawa, Japan (nuclear issues);

Mr. Erik Marzolf, France (missile technology);

Mr. Duk Ho Moon, Republic of Korea (proliferation of weapons of mass destruction);

Mr. William J. Newcomb, United States of America (finance);

Mr. Alexander Vilnin, Russian Federation (customs);

Mr. Xiaodong Xue, China (export control and nuclear items).

I have designated Mr. Everard to serve as Coordinator of the Panel of Experts.

I should be grateful if you would bring this information to the attention of the members of the Security Council

(*Signed*) BAN Ki-moon

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